

Applicants: M. Verleyen

Application No: 10/564,254

Response to Restriction Requirement dated May 27, 2009

Restriction Requirement dated April 28, 2009

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The Examiner has restricted the invention under 35 U.S.C. §121 into the following groups:

- I.      Claims 1-40, 42-54 and 61-62, drawn to an artificial turf filament.
- II.     Claims 55-60 and 63-66, drawn to a method of making an artificial turf filament.

Applicants provisionally elect to prosecute Group I, claims 1-40, 42-54 and 61-62, with traverse.

The Examiner has stated that the inventions lack a single general concept because of the alleged teachings of US 3,940,522 to Wessels. The Examiner, however, does not specifically allege why the present invention lacks a single general concept over Wessels.

In the instant case, it is apparent from a thorough reading of the specification and the claims that the filaments and methods of Groups I and II are one invention in this application. References which disclose the method of Group II would clearly be cited as prior art against those which disclose the filaments of Group I. The Examiner would certainly feel obligated to consider such disclosure relevant and would not hesitate to cite references relating to one group against the other under 35 U.S.C. §103. For those reasons, Applicants maintain that a co-extensive field of search seems virtually mandated and would not present an undue burden.

For the reasons set forth above, Applicants respectfully request that the requirement for restriction to be withdrawn and consideration of all the claims on the merits be commenced.

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The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Should the Examiner have any questions, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number set forth below.

Respectfully submitted,

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